

House Republican Press Release

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Rep. Miller Proposal Would Preserve Age Restrictions in Housing Designated for Persons 55 and Up



Measure Would Require Developers to Keep Restriction in Effect for 10 Years

A measure that would require developers who build age-restricted housing for people aged 55 or older to keep the restriction in effect for 10 years has been introduced by state Representative Lawrence G. Miller, R-122nd District.

The proposal would ensure that developers who obtain approvals from local land use commissions for such housing projects do not come back to the boards later seeking to have the age restrictions lifted, Representative Miller said.

“My proposal will ensure that projects such as the one recently approved for a site off Warner Hill Road in Stratford continue to be available to persons aged 55 or older for at least 10 years after they are built,” Representative Miller said. “Developers often seek approval for high density housing complexes that are age-restricted for mature adults from local land use boards on the assumption that they will be more likely to approve them than projects that generate more traffic, overload existing water and sewer lines; boost demand for social and educational services, and increase the property tax burden on commercial and residential property owners.”

“In one recent case, a developer who built an age-restricted housing complex in another Fairfield County town later returned to the board that approved the original application seeking a waiver from the stipulation that reserved the project for persons aged 55 and over,” Representative Miller said. “The developer argued that the board should change the stipulation because not enough mature adults were buying into the complex.”

“My proposal would ensure that developers do not seek approval from local land use boards for high-density housing for persons 55 years of age fully intending to seek waivers from those stipulations shortly after their projects are completed and ready for occupancy,” Representative Miller said. “Housing intended for mature adults should continue to be available to them for many years after the complex is built. Otherwise, unscrupulous developers who want to build high-density housing projects in areas that are clearly inappropriate for them will continue to seek approval for them as age-restricted complexes for mature adults.”

“I also would note that even if the developer of the Stratford project does not seek a waiver from the age restriction, under current federal law, only 80 percent of the units can be reserved for persons 55 years of age or older. I would further point out – and I testified to that effect before the zoning commission – that the age restriction does not prevent persons with children from moving into the complex – as long as one of the adults in the family meets the 55 or older requirement,” Representative Miller said.